

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RUPA BALA,

No. 3:18-cv-00850-HZ

Plaintiff,

v.

VERDICT FORM

OREGON HEALTH & SCIENCE UNIVERSITY,
JOAQUIN CIGARROA, AND CHARLES
HENRIKSON,

Defendants.

We, the jury, unanimously find as follows:

Section 1: Claims against Defendant Oregon Health & Science University (OHSU)

I. Title VII – Sex Discrimination

Question 1. Did Plaintiff prove by a preponderance of the evidence that Defendant OHSU nonrenewed her contract or restricted her clinical privileges because of her sex?

☒

Yes

☐ No

Proceed to Question 2.

II. Title IX – Sex Discrimination

Question 2. Did Plaintiff prove by a preponderance of the evidence that Defendant OHSU nonrenewed her contract or restricted her clinical privileges because of her sex?

☒ Yes ☐ No

Proceed to Question 3.

III. ORS 659A.030 – Sex Discrimination

Question 3. Did Plaintiff prove by a preponderance of the evidence that Defendant OHSU nonrenewed her contract or restricted her clinical privileges because of her sex?

☒ Yes ☐ No

Proceed to Question 4.

IV. ORS 659A.199 – Retaliation

Question 4. Did Plaintiff prove by a preponderance of the evidence that Defendant OHSU retaliated against her by not renewing her contract, restricting her clinical privileges, investigating reports of Plaintiff's conduct in November 2015 and/or August 2016, or by providing a negative reference, because she made a good-faith report of evidence of a violation of a state or federal law, rule, or regulation regarding quality of care?

☐ Yes ☒ No

Proceed to Question 5.

V. ORS 441.044 – Retaliation

Question 5. Did Plaintiff prove by a preponderance of the evidence that Defendant OHSU retaliated against her by not renewing her contract, restricting her clinical privileges, investigating reports of Plaintiff's conduct in November 2015 and/or August 2016, or by providing a negative reference, because she disclosed to a manager an activity, policy, or practice of the hospital that Plaintiff reasonably believed was a violation of law or a rule or was a *Bala v. Oregon Health & Science University et al*, 3:18-cv-00850-HZ
JURY VERDICT FORM— 2

violation of professional standards of practice that Plaintiff reasonably believed posed a risk to the health, safety, or welfare of a patient or the public?

_____ Yes ☒ No

Proceed to Question 6.

Section 2: Claims against Defendant Charles Henrikson

VII. Section 1983 – Equal Protection – Discrimination

Question 6. Did Plaintiff prove by a preponderance of the evidence that Defendant Henrikson personally participated in a decision to restrict Plaintiff's clinical privileges, not renew her employment contract, or provide a negative reference?

☒ Yes _____ No

If you answered "No" to Question 6, you have completed your consideration of the claims against Defendant Henrikson. Proceed to Section 3, Question 8.

If you answered "Yes," proceed to Question 7.

Question 7. Did Plaintiff prove by a preponderance of the evidence that her sex was a substantial, motivating factor in Defendant Henrikson's participation in the restriction of Plaintiff's clinical privileges, nonrenewal of her employment contract, or negative reference?

☒ Yes _____ No

Proceed to Section 3, Question 8.

Section 3: Claims against Defendant Joaquin Cigarroa

VII. Section 1983 – Equal Protection – Discrimination

Question 8. Did Plaintiff prove by a preponderance of the evidence that Defendant Cigarroa personally participated in a decision to restrict Plaintiff's clinical privileges, not renew her employment contract, or provide a negative reference?

☒ Yes _____ No

If you answered "No" to Question 8, you have completed your consideration of the claims against Defendant Cigarroa. Proceed to Section 4.

If you answered "Yes," proceed to Question 9.

Question 9. Did Plaintiff prove by a preponderance of the evidence that her sex was a substantial, motivating factor in Defendant Cigarroa's participation in the restriction of Plaintiff's clinical privileges, nonrenewal of her employment contract, or negative reference?

X Yes _____ No

Proceed to Section 4.

Section 4: Damages

If you answered "Yes" to Questions 1, 2, 3, 4, 5, 7, or 9, answer Question 10. If you answered "No" to Questions 1, 2, 3, 4, 5, 7, and 9, skip Section 4 and the presiding juror should sign and date this verdict form.

Question 10. What is the value, if any, of the damages Plaintiff suffered from Defendants' conduct?

Lost past wages and benefits: \$ 1,120,000


Lost future wages and benefits: \$ 2,809,600

Impaired earning capacity: \$ 0

Emotional distress: \$ 70,400

The Presiding Juror should sign and date this Verdict Form.

DATED this 26 day of April, 2024


Presiding Juror